



Docket No.: 55018 (71360)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Morimoto, et al. EXAMINER: A. Woodward  
SERIAL NO.: 09/630,998 GROUP: 1711  
FILED: August 2, 2000  
FOR: POLYAMIDE RESIN COMPOSITION HAVING IMPROVED  
WEATHERING RESISTANCE AND ITS MOLDED PRODUCTS

Honorable Commissioner of Patents and Trademarks  
Washington, DC 20231

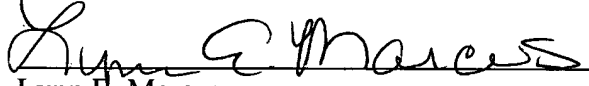
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CERTIFICATE OF MAILING

I, Lynn E. Marcus, hereby certify that this correspondence is being deposited with the United States Postal Service, as First Class Mail, on October 30, 2001, in an envelope addressed to: The Assistant Commissioner for Patents, Washington, DC 20231.

  
Lynn E. Marcus

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

The following is in response to the Office Action (Restriction Requirement) mailed September 28, 2001, in the above referenced application. A petition for an extension of time of one month for responding to the outstanding Office action and the appropriate fee are enclosed herewith.

Applicants respectfully traverse and request reconsideration of the Restriction.

All claims are directed to a polyamide resin having A and B or A, B, and C. Dependent claims add optional ingredients, and it is appreciated that the Examiner considers them patentable over the main claims on this record. However, they are not mutually exclusive

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mutually exclusive since polyamide resins meeting the recitations of Group II-V would infringe the claims of group I. Nor are they in an intermediate-final product relationship. This is disproved by the position taken to support the restriction, i.e., each of the resins of the different groups is useful by itself. Since neither of the grounds advanced is correct, the requirement should be withdrawn.

Moreover, since the difference in the "groups" is the addition of optional ingredients to the base composition, the restriction requirement is more like a broad election of species, where the claims of group I are linking claims. If the combinations claimed in claim 1 are patentable over the art, then necessarily, the combination of the dependent claims which include groups II-V are patentable over this art. Therefore it is respectfully requested that, in the event the requirements are maintained, and the claims of Group I are found allowable, the restrictions should be withdrawn and all claims passed to issuance.

In addition, It is believed that multiple groups could be searched and examined together without undue burden. For instance, *all* of the Groups (I, II, III, IV, and V) have a common classification (class 524). Reconsideration of the Restriction is earnestly solicited.

Nonetheless, to provide a complete response, Applicants elect with traverse Group I, drawn to claims 1-3, 7-13 and 16-20, as that Group is defined in the Office Action. This election is being made solely to comply with the Restriction Requirement. It should not be construed as a disclaimer or surrender of any subject matter in the application. The right to file one or more divisional applications on the non-elected claims is reserved.

Alternately, Applicants request that rejoinder of some, if not all, of the remaining groups be considered by the Examiner following the search of the elected group (Group I).

In response to the Species Election, Applicant elects the following species according to the characteristics defined in the Office Letter. This election is made with the understanding that upon allowance of a generic claim, applicant will be entitled to consideration of claims to

additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim.

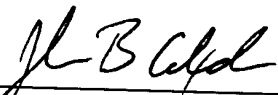
1. Component A: polyamide 6;
2. Component B: aromatic polyamide comprising 20-40% paraxylylenediamine, 60-80% methaxylyldiamine, and adipic acid.
3. Component C: glass fiber;
4. Component D: benzotriazole;
5. Component E: 3,9-bis{2-[3-(3-*tert*-butyl-4-hydroxy-5-methylphenyl)propionyloxy]-1,1-dimethylethyl-2,4,8,10-tetraoxaspyro[5,5]undecane};
6. Component F: a mixture of CuI and KI;
7. Component F': CuI; and
8. Component F'': KI.

Claims corresponding to those elections include claims 1-20.

Although it is not believed that any additional fees are needed to consider this submission, the Examiner is hereby authorized to charge our deposit account no. 04-1105 should any fee be deemed necessary.

Respectfully submitted,

Date: October 30, 2001

  
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